THURSDAY, JULY 11, 1839.

To Carriers of Newspap During the last ten days, several of the regular Carriers of the Herald have wilfully neglected serving their subscribers, in order to sell their copies at an advance, endeavoring at the same time to put off upon our patrons the other trashy penny and twopenny papers. In order to put an end to this nefarious business, and to ensure the punctual serving of our subscribers, we have determined to change several of our present Carriers who neglect their duties, for honest and competent men, who will attend to them. The increase of the Herald is so great that routes will furuish good Carriers with steady livings. Carriers answering this description will please to call at this office, 21 Ann street, between the hours of 10 and 2 e'clock.

Wanted Immediately,

A good horse and gig, to follow the Royal cortege of his Majesty the President, during his plain republican Progress through his native state. Any livery stable keeper who can supply such an article on reasonable terms, can apply immediately to me, at 21 Ann street. I want it for my own use, in order to be able to track the footsteps of his Excellency. The horse must be acquainted with crooked paths and by-ways, as we will have a very circuitous route to take to reach Kinderhook and Saratoga. The gig must be royal and superb, befitting the high cavalcade it is meant to join-the royal republican arms on the pannels. Also Wanted.

A good Setter Dog, who has a capital nose and is well trained. In the royal progress I am afraid that we may lose the tracks of his Highness occasionally. In such a dilemma I want a good pointer or setter, capable of discovering the royal covert amid the wild thickets of locefocoism in Westchester, Duchess, Columbia, and Saratoga counties. Great sport may be expected.

His Democratic Majesty on the High Road to Sing Sing.

In the same order that His Republican Highness, Martin Van Buren and his body guard, left New York, they arrived at Harlem. Here the squad of shabbies, unmentionables, gentlemen, rogues, loafers, decent men and vagabonds, delivered him "with care, this side up," into the hands of the committee of republican farmers from West Chester, headed by the veteran Mr. Hunter, whose barouche was in waiting for His Majesty. His Republican Highness, glad to escape from every recollection of the relies of New York, jumped into Mr. Hunter's barouche, bade an universal, and for once in his life, a hearty adien to the New York escort of fantasticals, and set his face for Hunter's Island and the elegant mansion it contains. "Well, he's gone at last," said Alderman Purdy to Mayor Warian. "Yes, God bless him," said the Mayor, "for he's a man of great genius!" But the Mayor is much mistaken. Mr. Van Buren is a man of much tact, and not a little talent, but he's too much of a gentleman to be a genius!

The escort that took His Highness from Harlem Bridge to Hunter's Island, was of 'another guess kind' from many of the unsubstantials that left New York with him. They were not men of great education and refinement of manners, but they were men of sound common sense, of good standing in socie ty, and have a solid stake in the commonwealth .-Mr. Huster himself is a gentleman by nature, and one of her truest noblemen-plain, simple, and unassuming; yet possessing excellent judgment, and fine taste for the belles lettres, music, poetry, painting, and abstruse science. His Democratic Majesty felt at ease amongst them; here he reigned supreme-a gentleman by education, habit, associations, and from choice, he is unhappy but with those who have the stamp of genuine gentility about them. He was surrounded by men of good breeding, but moderate intellect-men who had not the art to conceal their nature, or the little they might know-men whom he could easily lead in various ways, and who would never resist his desires, or say aught to annoy him. Here he was, for a brief space, happy.

His reception along the entire route was really pleasing. A great number of ladies waited hours to see him; the excellent wives and charming daughters of the substantial Westchester farmers, (the bone and sinew, aye, and even the mrrrow of society.) turned out en masse, to see and greet the President. At West Farms a very large number of horsemen, well mounted, and ladies in carriages, were assembled to do him honor ; and here the cheering was most enthusiastic.

Hence the route to the beautiful residence of Mr. Hunter is full of delightful scenery. The waving fields of wheat, corn, rye, &c., on the one hand, the luxuriant meadows, skirted by the East river on the other, the groves of noble trees, the rivalets, brooks, creeks, inlets, bridges,

Mosses, waters, slaps, and stiles." with here and there the neat white cottage of the independent husbandman, contrasting with the plain substantial farmer, all combine to produce a scene that few places, save this part of Westchester, can produce, for beauty and picturesque effect. Passing by the stone and wooden bridge at Westchester, the road leads round by the handsome mansion of Thomas E. Taylor, Esq., the excellent and sterling farmer, who curbed and destroyed the atrocious monopoly of Harlem Bridge. The road hence is full of beauty and variety till we arrive abreast of Hunter's Island. An abrupt turn right, exhibits the house on the summit of a hill, covered with groves of trees, lawn, grass plats, and rich fields of grain; the utile et du/ci combined to admiration. A short descent brings us to an arm of the Eust river which divides the island from the main land. A neat bridge crosses this, at the end of which stands the porter's lodge, similar to those at the entrance to the parks of the nobility in England, though on a somewhat humbler scale. A winding road, up a gentle rise, leads past the stables (which are not well concealed from view) to the west point of the mansion of Mr. Hunter, which as far as its internal arrangements go, may be termed princely. The two sides of the house are embowered, or as we Iriskmen would say, surrounded with trees, and the east front opens on the East River with a glorious view of Long Island Sound. A sloping lawn of great beauty, interspersed with flower borders, leads from the east front steps to the water's edge.

Such is the state and situation of Hunter's Island, and its princely mansion, which is almost the most beautiful place in the county, and at which His Republican Highness, Martin Van Buren, satiated the cravings of his regal stomach, and reposed His Imperial limbs, by the grace of God, on the night of Tuesday, the ninth day of July, in the year of our Lord and Savior Jesus Christ, one thousand eight hundred and thirty-nine, and there, for the present, we leave him.

Ariel was with him the best part of yesterday;walked, talked and dined with His Royal Republican Highness, and will furnish the full particulars for tomorrow's paper, of his Democratic Majesty's doings up to bed-time last night. His Royal Republican Highness leaves Hunter's Island at ten o'clock this morning, proceeds to New Rochelle to meet the whorrab boys, and thence rides to Gen. Ward's elegant mansion at Sing Sing, whither our trusty Ariel accompanies bim.

A Trip to Boston-A Trip to Sing Sing-A Trip to Sarat

I have just returned from Boston. On Friday last I started for that beautiful city on a voyage of love and discovery-love to his Highness, the President, and discovery to know if far famed Harvard would confer on him an L. L. D., as it once did on the great Jackson. During my absence, all my Ariels and aids-de-camp were busy watching the footsteps

of the President, and reporting accordingly.

This trip to Boston has been a curious affair. Like his Highness in making a royal progress, it cost me nothing but a few half dollars to porters, boots and chambermaids. Wherever I went the doors flew open-champaigne corks flew up to heaven or the ceiling-and every thing was as free as the winds on the mountains. While the President is making his royal progress through his leyal county of West Chester, and conferring everlasting honor on the old noblesse by sleeping in their sheets, eating their bread, or drinking their wine, or ogling their wives, we trust that we may be allowed to give our readers a full account of the trip to Boston-of the splendid travelling on the Sound-of the busy hum of Providence-of the picturesque beauty of Boston. One of my objects was to take a look at the Aliston Gallery, and a beautiful collection it was.

In a day or two we mean to join his Highness at the State Prison at Sing Sing-not to break stone, but to break hearts-the hearts of the pretty girls of Sing Sing and Mount Pleasant-not to " suffer some' in our own proper persons-but to make others suffer some for us great men. During the next six weeks, the President will remain in this State. He will visit every distinguished spot from New York city to Saratoga-not forgetting his old cabbage garden in Kinderhook, which must be put in repair by next year, if the whigs should have sense enough to take up General Scott. To attend the devious footsteps of his Excellency, we find that, not one Ariel, but half a dozen are necessary. His Highness is like a wild duck in a pond. He dives down among the bushes; but the devil cannot tell where he may rise on the surface. But to catch him wherever he pops up his head, we have despatched one experienced Ariel, three spirits of the air-four spirits of the water, one spirit of fire, from the body uard of Beelzebub, and an experienced spirit of mystery from hell itself. Whatever course he may take, one of these will eatch him-nor will they be cheated out of their game by all the crooked ways and zigzag paths his Highness may take.

In the meantime, while Mr. Van Buren is hid somewhere in Westchester county, we shall give a description of our pleasant trip to Providence and Boston, and back by the way of Stonington

THE WALL STREET NEWSPAPER SYSTEM OF FI-NANCE.-That the corrupt, speculating, jobbing newspapers of Wall street are unable to maintain themselves by a wholesome system of advertising, and ransacting their general business, we have long since asserted; and the recent trials of Mr. Clirchugh and Mr. Attwill are incontrovertable evidences of this fact. The "Courier" sued Mr. Attwill, of the music warehouse Broadway, for over \$180; it was alleged that this sum was for advertisements. Mr. Attwill proved that he never sent any advertisements to the "Courier," because they were seldom seen by any one amid the crowd of old unpaid advertisemeats in that blood stained sheet. He also proved that an item of \$63 was charged for one advertisement placed on the last page of the paper for sixtythree days without his order. He further showed that many of the advertisements said to have been sent by him, and inserted in the "Courier," were printed copy, marked on the margin "Com." thus showing that they were sent from the "Commercial"

And this is the way that one corrupt Wall street paper endeavors to bolster up another, and the honest adustrious tradesman is made to suffer. They al ways select a good victim; Mr. Attwill was known as an upright, correct, punctual tradesman; his advertisements were inserted without his knowledge, and he had to pay for this shameful scheme \$180, including law expenses; for which sum he did not derive 180 cents worth of benefit. The case of Mr. Clirchugh, the fashionable hair dresser, corner of Broadway and Fulton street, was equally oppressive shameful. He never saw th which prosecuted him for advertising charges; scarcely knew of its existence, and never on any occasion ordered an advertisement to be sent to the 'Gazette,' and yet the conductors of that paper insert his advertisement without order, and prosecute him to recover the money. Such conduct is most shameful. One plea put in by the "Courier," we wish they would stick to. They said that some one brought the advertisements to them purporting to be Mr. Attwill's agent; that upon the good faith of this statement, that the bearer was the agent of Mr. Attwill they gave Mr. A. credit, and upon this plea the Judge said they were entitled to recover. Now, what is sauce for the goose is surely sauce for the gander. Some time since, one of their editors, named Burdett, known to be connected with their paper, went to the livery stable of Mr. Benjamin Roe, in John street, and hired a horse and wagon for the "Courier and Enquirer." Knowing him to be an agent of that paper, Mr. Roe gave the establishment credit for the horse and wagon. The latter was broken to pieces, and when Mr. Roe presented the bill for \$12 for expenses, the cashier of the "Courier" refused to pay a cent, or recognise the acts of their agents. Now we ask is this either just or honorable? and will honest merchants patronise people who act in this outrageous manner?

THE BRITISM QUEEN.-The period for the arrival of this noble vessel is rapidly approaching. Expectation is on tiptoe-she has, if she sailed on her day, already been out 10; days, and there are many who are confident that she can perform the passage in that time. If, however, she completes 14 days on the noon of Sunday next, she will make a remarkable run. She is intended to accommodate 300 passengers, and at our latest dates, her berths were already taken up, as well as her compliment of freight It is the opinion of some who saw her just previous to the sailing of the Liverpool that she will be detained a few days past her time, she having to go from Greenock to London to finish her cabins, to take in stores, &c. &c., previous to the first. This is, however, matter of opinion only. Sunday noon will probably put us in possession of her advices.

THE NEWBURGH REGATTA came off yesterday in fine style. The concourse of people assembled, including upwards of a thousand lovely women, to witness it, was immense. We wish we had time to give a full description today, but Ariel did not return till after 11 o'clock last night, and we have only time, therefore, to say the Corsair, of Newburgh. beat the Wave, Washington, and every other six pared boat. The Duane came in ahead of the other nine four pared boats; and of those pulled by sculls, the Arab was victorious. The whole affair was conducted on a grand scale. The winners smiled and treated their friends sumptuously; the losers wore long faces, and the ladies praised the victors and condoled the vanquished. The famous boat Wave has at last been beaten-the boat that invariably came in ahead at every race anterior to this.

63- There have been destroyed in Mobile by fire since the 1st of January last, property to the value of \$400,000.

THE AMERICAN CONSUL AT HAVANA .- That this an has committed outrages enough upon American citizens te warrant his dismissal, there cannot be the least doubt. But whether he will be dismissed for his offences, is very doubtful. Mr. Van Buren says, that he looks upon Mr. Trist as an old and very intimate friend; and he cannot, therefore, think of discharging an intimate friend from an office worth \$20,000 a year. Moreover, Mr. Trist has written long and elaborate essays in praise of the Sub-Treasury system, which alone "covereth a multitude of sins." In what way the Consulate department at Mavana is mixed up with slavery, and the slave trade, and how the slavers get their papers from that quarter, is not so much of a mystery as some persons imagine -Mr. Van Buren thinks it is not worth while to say much about it. Lord Palmerston openly charges our Consulate at Havana with furnishing slave papers through the Vice Consul; and he has remonstrated with this Government on that very subject, and called for the instant removal of Trist from the office of American Consul at Havana. Trist laughs at all this, and says that his tenure of office is certain and safe, so long as Mr. Van Buren holds the reins of government. Capt. Wendell charges Trist openly with having taken sailors and boarded them at his house; and then charged enormously, as Peyton Gav did at Martinique. Again, Capt. Wendell says that he has waited on the Secretary of State and the President for redress. Mr. Forsyth teld him to prosecute the bonds given by Mr. Trist. Capt. Wendell applied in vain to two or three officials to procure a copy of the bonds. Tom referred him to Dick, and Dick turned him over to Harry, and Harry sent him to somebody else; and at last he was told that the department would not give him any copies of the bonds for the purposes of prosecution, or for the simple sake of furthering the ends of justice. When Capt. Wendell was introduced to the President, and had told his story, his Highness coolly observed, "Ah, Capt. Wendell-prison-umph-your health has suffered considerably? I hope you feel better?" "I do a little," said the Captain. " Ah !" replied his Highness, "you had a father, Capt. Wendell-I hope he's well." "He's not living, Mr. Van Buren." "Oh ! dead! yes! I remember! He was a very sensible man; and your mother was a woman of good sense .-I hope your wife and family are quite well, Capt. Wendell." "Pretty well, thank you, Mr. Van Buren; but toucking this case of mine in relation to Mr. Consul Trist; I have suffered cruelly by him. Can I get no redress ?' "No! yes! that is, I don't exactly see but that something may be done; but Mr. Trist is a man of good sense, and a very kind heart; I have known him a long time, a very long time .-He must have been mistaken; he never would act so from vindictiveness. I'll see what can be done !" And thus the affair is procrastinated. Mr. Trist insults our merchants and captains, and exults in the success of his schemes. Mr. Van Buren insults our merchants, and exults whilst his schemes are blown to the devil! Viva Van Buren! Viva Humbug.

GENERAL SCOTT-GENERAL HARRISON-MR. CLAY -IN NEW-YORK .- The "Boston Atlas" copies an article from a Cincinnati paper, stating that, save and except a few politicians in this city, the great body of the Whig party in this state, is not for Mr. Clay. This is even so-but when the same person says that the Whig party are for General Harrison, he says what is equally an error. The opposition party is for General Scott, and all the politicians will find it before next fall.

WARM BATHS .- Now that the warm weather has come upon us beyond a doubt, a warm bath is one of the most refreshing things that can be taken-unless it is to take a purse. We advise Chamberlain Hoyt, and all the fashionable locofocos to step at once into Stoppani's, at the Arcade Baths, Chambers street, and wash away the impurities caught during the royal revelries of the last ten days. They will smell sweeter tomorrow.

63- Madame Caradori takes her farewell benefit at the Park this evening. We would, if we could, say something in her favor-but really we know not what to say. Her own sweet voice can best tell of her rare qualities. It ought to be a bumper.

A ROYAL TOAST -At the fête given by Alderman Hall, at Harlem, after the ladies had retired to tuck up their curls, his Royal Highness Prince Smith Van Buren, cried out, "now, gentlemen, I'll give you a toast-fill to the brim."

The locofocos present filled all their glasses. The Prince rose. "Gentlemen," said he, "I give you the Indomitables and Buttenders forever.'" The company drank, shouted, hollowed, and emptied every butt-end a second time.

"What noise is that ?" asked a grocer in Harlem. " It is the chorus of the devils in Der Freischutz." was the reply. And so it was. Satan popped up his head at the turn of the tide at Hellgate, and chuckled at the sport.

fry- During the last week our circulation has nore than doubled. This shows the great prosperity of the "Herald," and the approval of the way in which we have served up his Democratic Majesty. During the present week, our table will be equally rich. On Saturday last, our office was surrounded by a mob all day-not a mob to destroy-but a mob to buy, read, laugh and enjoy the descriptions given of his Majesty's curious movements. Next Saturday it will be equally so. Prepare for greater fun

President Van Buren goes for the "Independent Treasury," and Governor Seward for perfect "social equality." What's the difference they not both equally sincere and equally humbugs

fry- Nolte, the great speculator, having been re leased from prison by a writ of habeas corpus, was last seen on his way to Louisville. Is it not time for the New York speculators to cut and run?

My- Sully's portrait of Queen Victoria closes or Saturday next. Apropos, a silly correspondent of the silly "Star," says that the Dutchess of Kent is a handsome woman, and Victoria a squat ugly creature. This fellow could never have seen either. The Dutchess of Kent is one of the grimest looking women we ever saw, and we have seen her several times. Victoria is a fair, smiling, pretty looking young Bowery girl-and no mistake. Her figure is very pretty and petite.

We have a very serious complaint against the Wave steamer on the 4th inst. A correspondent complains that the Captain left two hundred beautiful women on the dock at Fort Hamilton till past midnight. If he left young men with the young wemen, they could easily have made themselves agreeable to each other. If it was beautiful starlight, they could go a praying-we should have liked no better employment.

Ors- Capt. Thomas Dunham, Jr. of New York, had his shoulder dislocated, and Mrs. Lydia Macy, wife of Josiah Macy, Esq., of Nantucket, was severely injured, by upsetting of the Taunton stage, in New Bedford, on Monday last.

63- A splendid description of the National Guards at Fort Hamilton will be given tomorrow. Look out

Accounts of dreadful accidents, and horrible mangling, on the 4th inst , continue to reach us from all parts of the country.

The Gase of Mr. and Mrs. Barry.

uded from yesterday's paper.] If His Honor's order really secure to Mrs. Barry the possession of my child "until some agreement or compromise be made between us," there is little doubt but she will deem it hers for ever—unless I obtain a charge of custody by a judicial decision, which I shall most certainly attempt, if I be spared, which I shall most certainly attempt, if I be spared, and in which I hope and trust to succeed. Though I have ever stood ready to meet her, I can have no hope of her yielding to any agreement or compromise, that involves her removal from New York. It is not in the power of humanity to do more than I have done, of a conciliatory nature, towards her; set I have hear invariable met with a drawn award. yet, I have been invariably met with a drawn sword
-the scabbard thrown to the winds: and, the only return I have received from her and her family, has been slander, abuse and proscription, dealt out most unsparingly during my absence from the city. Were it not that almost any individual would be led to suppose, from the allusion of His Honor to "agreement or compromise," that no such thing had been hitherto attempted, at least by me, I should not, in this communication, have alluded to it. In proof, however, of this I should transcribe the copy of a letter I caused to be delivered to her on the 1st day of June last more than festives of of June last, more than a fortnight after the issuing of the writ of habeas corpus. To this communication I received no rolly, although I called at the house for one; yet, I trust the public will be satisfied, from its perusal, that I have done my duty in

e premises. I have called at the office of Mr. Anthon this day, and found to my great disappointment, as much as to his surprise, that nothing had been yet received as to his surprise, that nothing had been yet received by him from your counsel on our unhappy business. I, however, assure you that neither the present absence of important testimony, which will be forthcoming when required—nor delay—nor any other occurrence, or mode of procedure on the part of you or yours, can possibly break down my determinate resolution to test my rights in you and my child, to the utmost extent, if the decision of a legal tribunal must at your ordinate resolution to the strength of the decision of a legal tribunal must at your ordinate the same and of previous the same and the same of a region of a second of the same of a region of a second of a s must, at your option, be the only mode of arriving at that result. Yet, notwithstanding matters have already gone so far, I do feel that this need not be—and, fully determined to leave no room,—to have no cause for self reproach in after days, I now avail myself of the lapse of time between this and Monday morning. during which nothing further of a legal nature can be done, again, in the kindliest, and affectionate manner, to propose, for your acceptance, the most liberal terms of reconciliation, viz: That all legal and other hostilities immediately ceasethat deepest oblivion, so far as we are able, cover the recollection of every thing past, of an unhappy nature between us; no mention of which, from one to the other, shall under any circumstances, ever

take place—and that we henceforth endeavor to discharge faithfully our several duties and obligations to each other, and to those dependent on us.

I am not inclined to onceal, that in so doing I am aware it will be needful for us on both sides to make a sacrifice—a great, a tremendous sacrifice of personal feeling. For this I am prepared. But admitting these sacrifices involved in a reconciliation to be most severe, still are they not far less than the sufmost severe, still, are they not far less than the suf-forings which must be our mutual lot in a legal controversy, and in favor of whomsoever it may? And then, our children! yes—our precious children!! Will not you permit their interests, if nothing else to weigh with you? There is no amount of personal feeling, to the sacrifice of which I would not submit, short of total abandonment of character and reputa-tion, or a tacit submission to attempts at their tration, or a facit submission to attempts at their tra-duction, for the interests of our dear children. You now, I presume, know my father's unqualified opin-ion of your persisting in absenting yourself from our family, without the possibility of mistaking him; al-though I have never spoken to him on the subject one word. To another than Imogen, however, from whese lips I had it, he remarked that "in his opin-ion, your were planting thorns for your dying pil-low." From this I would fain preserve you; and I seriously ask you, ought any consideration for "the seriously ask you, ought any consideration for "the remarks of the community, either here or at Nova Scotia, on the subject of our reconciliation" to deter us from the performance of duty? If once again happy in ourselves—in each other—and in those so dear to us—as we may even yet assuredly be—of how little consequence to us would these remarks be? And how very small a bearing could they, by any possibi-lity, have on our welfare? I bring not these consi-derations to your notice in the form of entreaty. This I cannot consent to do; but I kindly and affectionately submit them for the decision of your calmly deliberate judgment in the exercise of which I trust the quietude of the morrow (Sunday) will profitably

Mr. Anthon does not know of this communication;

Mr. Anthon does not knew of this communication; neither has it been suggested by him or any other person. The spontaneity of my heart's deep feelings and a sense of duty, have alone prompted it.

I shall call on Monday morning at half-past eight o'clock, that a reply may be handed me in case you so incline; and if so, I request that it may be from under your own hand, and not written by another. Meantime, with tender solicitude and affectionate anxiety, I remain still

Your Husband.
Salarday afternoon, 1st June. 1889.

Saturday afternoon, 1st June, 1839. What is the unhappy and unhonorable situation in which Mrs. Barry stands, while thus resisting all attempts at conciliation, and in which the unfortunate decision of His Honor in awarding to her the custody of my child, is but too well calculated to encourage her to continue, may be estimated in some tolerable degree from the following language of Chancellor Walworth, in giving his decision in the case of Rod-gers v Rodgers, which I have copied from Paige's Chancery Reports, vol. 4, p. 517, 1834. He says as follows, viz:—"It is impossible for a femme converte to make any valid agreement with her husband to live separate from him, in violation of the marriage contract, and of the duties which she owes to socie-ty, except under the sanction of the Court, and in a se where the conduct of her husband has been such as to entitle her to a decree for a separation. The voluntary agreement for separation, between husband and wife. The indissolubility of the marriage contract renders it impossible for the parties to release each other from the reciprocal duties which the relaeach other from the recaprocal duties which the rela-tion of husband and wife implies. Sir Wm. Scott, in delivering the judgment in the case of Mortimer v. Mortimer, (2 Hagg. Cons. Rep. 318,) says, "the Court considers a private separation, an illegal con-tract. It implies a renunciation of stipulated duties, a dereliction of those mutual offices which the par-ties are not at liberty to desert; an assumption of a false character in both parties, centrary to the real status persons, and to the obligations which both of them have contracted in the sight of God and man to live together until death; and on which obligations the solemnities, both of civil society and of religion, have stamped a binding authority, from which the parties cannot release themselves by any private act of their own, or for causes which the law has not Here, then, is a solemn opinion of the highest au-thority in this State, of the situation of parties under a voluntary agreement for separation; and with how much stronger force then does it come home to the case of Mrs. Barry, where the inclination to be se-parate, is only on her own side, not on that of her

But one thing more remains to be noticed, and 1 have done for the present. His Honor was incorrect in thinking "that my counsel would concede that the examination of witnesses would not establish the facts to be different," if, by "the facts," he mean those attested by Mrs. B. and her father, in their affidavits returned to the writ. On the contrary, my counsel then knew, and still know, and I pledge my-self to the truth and accuracy of their knowledge, derived, of course, from their confidence in my veracity, that by an examination of witnesses, and an exhibition of the documentary testimony in my possession, the whole refuge of calumny, malignity, and falsehood, relied on to destroy me, would have been swept away as by the action of a whirlwind. I must apologize to yeu, sir, for the length of this communi-cation; but, I trust that the extremely painful situa-tion into which I have been forced before this com-munity, without the opportunity of being heard, which has rendered it imperative on me thus pub-licly to defend myself to some small extent will operate my excuse. I make no apology, however, for the liberty I have taken with the document I have reviewed in this letter; though, I have endeavored, reviewed in this letter; though. I have endeavored, deeply wounded as have been my feelings, to restrain myself from the indulgence of any disrespectful language, as well as the exhibition of any improper temper. I may be obliged to submit to the consequences of what I and others may eon-sider an unholy decision, but, assuredly, it cannot follow, that I am bound silently to acquiesce in what I may not only deem, but feel, to be its unrighteous-

With much respect, I am, sir, Your ob't servant, Friday evening, July 5th, 1839. At- The Buffalo militia have been paid \$5034 for military service in the late frontier trouble.

Court of Over and Terminer

JULY 10.—Triel of Ezra White, for the Murder of young Fitzpatrick.—The Court room was thronged again this morning with eager groups of witnesses, spectators and idle loafers. Their Honors the Judges, were within half an hour of punctuality, and then about twe hours were wasted in calling over the Jury, et cetera. Of the original panel, only sixteen answered to their names, and out of the thirty five summoned on the new venire, about twenty made their appearance. By 3 o'clock P. M. the following gentlemen were sworn:—Wm. P. Coles, Fereman, Stephen Brush, Charles Halleck, Robert Waterhouse, Levington Farwell, Alexander Chalmers, Olihouse, Levington Farwell, Alexander Chalmers, Oliver Young, D. G. Cartwright, Aaron Butterfield, Henry Burr, Benj. Harken, and Samuel A. Vanderlip. The indictment was then read by the Clerk of the Court, and the prisoner, with a firm voice, pleaded

not guilty.

The Court then took a recess until 4 P. M.

The Court then took a recess until 4 P. M.

The Court and Jury having reassembled, the District Attorney opened the case on the part of the People. The learned gentleman explained the law as it was applicable to the case of the prisoner, and briefly stated the principal facts of the murder of Patrick Fitzpatrick, as he said, he found them in the papers submitted to him by the Coroner. The District Attorney then called—

Lawrence Gaffney.—Witness keeps a grocery in Pitt street, and is about 28 years old. On the 13th of February lived in Boome street near Willet. The diagram now shown me is a correct representation of that house. There was a door in the house leading back to Broome and Willet streets. At the time of the affray had lived there about two weeks. On the night of the 13th there were a good many people at my house who had assembled at a house warming; they were countrymen of witness, who is Irish; they were dancing and enjoying themselves in a quiet, peaceable way. There was a door leading from the store into the back room. They had some refreshments and drink previous to the affray, which took place between two and three o'clock in the morning. Every thing had been o'clock in the morning. Every thing had been peaceable up to that time. The prisoner and his friends came in about three o'clock in the morning. There were four in the party, and the prisoner was the second man that came in. The first man walked into the back room, and White was the second. into the back room, and White was the second.—Something was said to one of the prisoner's party by Michael Maclany or Dennis Dillen relative to the absentee. The prisoner replied that he would go out when he "damned pleased." Witness was standing behind the counter at that time, and thought he would go round for fear of something, when White made a push at Maclany, and the other did the same at him. Witness ran between them, took hold of prisoner, and pushed him out at the door which opens on Willet street. Some one outside closed the door immediately, and witness thinks it was the watchman. In a few minutes ness thinks it was the watchman. In a few minutes afterward the deor was opened by some one from the afterward the deor was opened by some one from the inside, and Peter Fitzpatrick was standing just within it, sideways to the doorway. So soon as the door was opened, Fitzpatrick stepped out, and witness thinks he stumbled a little Was on the Willet street side, and witness thought that prisoner stood out on tho sidewalk. Witness was in the store, but outside of the counter. There was a light on the counter, which enabled witness to see across the street. No controversy had taken place with Fitzpatrick, nor had any blows been struck before witness saw White make the pass at him. Fitzpatrick had just got off the stoop when witness saw him had just got off the stoop when witness saw him stumble. Three or four other persons then rushed out of witness' house when they saw Fitzpatrick fall. The fall followed the blow inflicted on Fitzpatrick by the prisoner now present in court. Witness did not hear anything said at that time. The other persons who went out of witness' house were previously standing convenient to the door. The bext thing the witness saw was Denham, and another outside, and one of them came in with blood upon him Witness cannot say when they went out, but so soon as he saw them out he went to fasten the door It was the outside of the door which opened towards the street. There were other doors which opened inwardly. White was standing outside when witness closed the door, but he kept out of sight. White made a clutch at the witness and seized him by the shirt collar, and then saw that White had a knife in his hand, with which he struck at the witness, but did not inflict any wound

Mr. Graham here contended that the district attorney was leading the witness, and he was then told to tell his story in his own way.

Witness did not see Fitzpatrick again until he was brought into the house and placed in the back room. He was then lying on the broad of his back on the floor of the back room. It was about an hour and a half after the stab was inflicted. He was then strip-ped, and witness saw that he had a stab in the right groin. He was alive then, and said something about his wife, but what it was, witness did not either understand or recollect. There was only one wound on him, and he died the same day. Witness had not known White before this time, but he recognised him directly when he saw him again.

Cross examined by David Graham, sen. A diagram was here produced by the learned counsel, and some little delay occurred in consequence of the witness saying that he could not read writing. There was saying that he could not read writing. There was an entry to my house from Broome street, but that did not exactly belong to my store. There was a partition and a counter there for another store. The premises have been altered since. The door which leads into the store, leads into the back room where the dance took place. It was a pretty large room, but I cannot tell the size, because I did not measure it. The door in Broome street was shut all the night, and the door in Willett street kept open. I sold liquor in the store the night of the affray; my stock was about 25 gallons of spirits that night. I know it was the night of the 18th of February, because of was about 25 gallons of spirits that night. I know it was the night of the 13th of February, because of the liquor bill, which I bought on the day previ-ously to the affray in question, and paid for the fol-lowing day. I might have said there were forty persons in the house warming, and all in the little room with a fiddler, and they took the liquor there with the ladies, except some who came out in the store and drank, before that they had been peaceable enough from the time of the dance, commensing at eight o'clock, until 2 or 3 in the morning. Three or four uninvited guests came about ten o clock, the others were all my own country people, I asked the strangers to drink, but did not ask their names. I cannot tell how much liquor was drank; but it was principally mixed, such as brandy punch, gin slings, &c. I drank pretty well with all the guests, but cannot say how much. There had not been any noise before the affray in which Fitz-patrick received his wound. There was no squabble patrick received his wound. There was no squabble whatever in the store or in the dancing room. I will not swear that some of White's party were among the few that came uninvited. White was not one of them, but I remember him, because of the grabhe made at me when I put him out of the house—and I saw him when he came in. He was the second man of his party. I did not take any particular notice of the men who came with White. I cannot tell positively which of my invited guests spoke to White when he said "he came there to make a muss." White was the first one that elenched with McGaffney. I have been expended there times times McGaffaey. I have been examined three times on the subject, and always said White was the second man, and "he asked what muss that was." I always said and meant that White replied to the order to ge out "that he would go out when he d—n pleased." I always said that White wore, on that occasion, a light coat and trowsers, with a cap on his At this point of the cross examination, the witness

got rather riled, and accused the learned counsel for the prisoner of wanting to make him swear wrong. Mr. Graham disclaimed this, and the cross-exami-

nation was resumed. When White was put out the door was shut, and afterwards Fitzpatrick went out, received his wound and fell. I saw a knife or a dirk, but cannot swear which—it certainly was either one or the other. A quarter of an hour elapsed from the time Fitzpatrick fell to the time I saw his body, or knew that he was stabbed. My old woman was the first that told me the story. I saw none of the others during the quarter of an hour I spoke of. None of the men were to say drunk—they might have been a little the worse for liquor. which-it certainly was either one or the other

werse for liquor.

Here Mr. Graham produced the affidavit which the witness read and signed before the Police Magistrate, and asked the witness again how long it was after Fitzpatrick left the store before, the others rushbeing nearly the same answer he had given before.

A long argument then issued between the District
Attorney and the Counsel for the prisoner respecting
the reading of the affidavit. Ultimately it was

Direct examination resumed by the District Attorney. The four first strange men that visited the dancing room that evening, left about fifteen minutes before White's party entered; it may have been longer, but I could not speak for certain. The men that came in with White left before the fray began.

By Mr. Graham.—I did not see Fitzpatrick fall.